

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

PHOENIX LICENSING, L.L.C., an Arizona	)	
limited liability company, and LPL	)	
LICENSING, L.L.C., a Delaware limited	)	
liability company,	)	Civil Action No. 2:15-cv-152-JRG-RSP
	)	<b>LEAD CASE</b>
Plaintiffs,	)	
v.	)	
	)	
CONSUMER CELLULAR, INC.,	)	
	)	
Defendant.	)	
	)	
	)	
	)	
PHOENIX LICENSING, L.L.C., an Arizona	)	
limited liability company, and LPL	)	
LICENSING, L.L.C., a Delaware limited	)	Civil Action No. 2:16-cv-157-JRG-RSP
liability company,	)	
	)	
Plaintiffs,	)	
v.	)	
	)	
THINK FINANCE, INC.; RISE CREDIT,	)	
LLC; AND PAYDAY ONE, LLC.,	)	
	)	
Defendants.	)	
	)	

## JOINT MOTION TO DISMISS WITHOUT PREJUDICE

WHEREAS, Plaintiffs Phoenix Licensing, L.L.C. and LPL Licensing, L.L.C. (“Plaintiffs”) and Defendant Think Finance, Inc. (“Defendant”) have entered into a resolution agreement concerning this matter.

NOW, THEREFORE, Plaintiffs and Defendant through their attorneys of record, request

this Court to dismiss all of Plaintiffs' claims against Defendant without prejudice and with all attorneys' fees, costs of court and expenses borne by the party incurring same. Plaintiffs and Defendant also request that Defendant's pending Motion to Dismiss (Dkt 137) be dismissed as moot.

Dated: June 30, 2016

/s/ Benjamin T Wang

Marc A. Fenster (CA SBN 181067)  
Benjamin T. Wang (CA SBN 228712)  
RUSS, AUGUST & KABAT  
12424 Wilshire Boulevard, 12th Floor  
Los Angeles, CA 90025  
Phone: 310-826-7474  
Fax: 310-826-6991  
Email: [mfenster@raklaw.com](mailto:mfenster@raklaw.com)  
[bwang@raklaw.com](mailto:bwang@raklaw.com)

S. Calvin Capshaw  
Email: [ccapshaw@capshawlaw.com](mailto:ccapshaw@capshawlaw.com)  
State Bar No. 03783900  
Elizabeth DeRieux  
Email: [ederieux@capshawlaw.com](mailto:ederieux@capshawlaw.com)  
State Bar No. 05770585  
Jeff Rambin  
Email: [jrambin@capshawlaw.com](mailto:jrambin@capshawlaw.com)  
State Bar No. 00791478  
CAPSHAW DERIEUX LLP  
114 E. Commerce Ave.  
Gladewater, Texas 75647  
Mailing Address:  
P.O. Box 3999  
Longview, Texas 75606-3999  
Tel. 903/236-9800  
Fax 903/236-8787

**ATTORNEYS FOR PLAINTIFFS**  
**PHOENIX LICENSING, L.L.C. AND**  
**LPL LICENSING L.L.C.**

/s/ Jonathan R. Spivey

Jonathan R. Spivey  
State Bar No. 24002989  
[jonathan.spivey@bracewellllaw.com](mailto:jonathan.spivey@bracewellllaw.com)  
LaTasha M. Snipes  
State Bar No. 24072504  
[Latasha.snipes@bracewellllaw.com](mailto:Latasha.snipes@bracewellllaw.com)  
Bracewell LLP  
711 Louisiana St., Ste. 2300  
Houston, TX 77002  
(713) 221-1227  
Attorneys for Think Finance, Inc.

**ATTORNEYS FOR DEFENDANT**  
**THINK FINANCE, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email on this 30th day of June, 2016.

/s/ Benjamin T. Wang

Benjamin T. Wang